IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 386 OF 2005

SHRI VINAYAK G. PEDNEKAR AND 13 ORS., ...Petitioners

Versus

SMT. SUNITA DEVIDAS NAIK AND 5 ORS., ...Respondents

Shri Shivan Desai, Advocate for the Petitioners.
Shri S.D. Padiyar, Advocate for Respondent No.5.
Shri S.S. Kantak, Advocate General with Ms. R. Chodankar, Addl. Govt. Advocate for Respondents No.4 and 6.

Coram:- R. M. LODHA &
N. A. BRITTO, JJ.

Date:- 3rd October, 2005

P.C.:

Heard Shri S. Dessai, the learned counsel for the Petitioners.

We perused the Writ Petition and the documents annexed thereto.

The petitioners seek to challenge the legality and correctness of the Order (Permission dated 9.7.2002) and licence dated 23.8.2002.

The Writ Petition has been filed before this Court on 27.9.2005. Save and except the bald statement that the petitioners have been making complaints to the authorities concerned regarding the illegal construction, we find no acceptable explanation in the Writ Petition as to why the petitioners could not approach this Court challenging the development Order and licence earlier. The Writ Petition suffers from gross laches and unexplained delay. We are, accordingly, not inclined to entertain the Writ Petition having been filed belatedly without justifiable explanation.

Writ Petition is dismissed on the ground of laches and inordinate delay.

R. M. LODHA, J.

N. A. BRITTO, J.

sl.